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GENERAL INDEX

The following abbreviations are used in the General Index: A. (Articles not otherwise classified); C.C.L. (County Court Letter); Corres. (Correspondence); L.T. (Landlord and Tenant Notebook); M. (Miscellaneous); P.N. (Practice Notes); P.P. (Property Practice); T. (Current Topics).

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- Obscene libel: obscene article: photographic negative: display cards of prints numbered to correspond with photographic negatives: prints orderable from negative: whether photographic negative "obscene article": whether kept for publication for gain [Straker v. Director of Public Prosecutions (Q.B.D.)], 156.
- Official secrets: unlawfully communicating documents: application for leave to appeal against sentence: whether losses suffered by applicant relevant [R. v. Fell (Cr. A.)], 97.
- Public order: insulting words: whether likely to provoke breach of peace by speaker at public meeting: whether test of reasonable man applicable to audience: whether characteristics of audience to be taken into account by speaker [Jordan v. Burgoyne (Q.B.D.)], 388.
- Robbery with violence: evidence: recent possession, doctrine of: stolen money found on defendant's person: no evidence of violence by defendant: several men concerned in robbery with violence: whether defendant properly convicted of robbery with violence [R. v. Fallon (Cr. A.)], 398.
- Sentence: housebreaking and larceny of £56: six other offences taken into consideration totalling £700: eight years' imprisonment: whether excessive [R. v. Robins (Cr. A.)], 497.
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- Mohammedan law: wakf: validity: wakf in favour of adopted children and their issue: whether valid: whether wakf one for "maintenance and support" of any person: whether "any person" includes adopted children and/or their issue: whether wakf valid in part [Riziki v. Sharifa (P.C.)], 73.

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- Documentary: judgment: approval of court to family arrangement lost: cause book, evidential value of: Sierra Leone [Allie v. Katah (P.C.)], 110.
- Documents: notice to produce: medical reports in possession of witness called for by counsel in cross-examination: whether to be put in evidence as part of case [Stroud v. Stroud (No. 1) (P.D.A.)], 273.
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Persons considering suitable objects for charitable bequests are begged to apply to the Secretary for full particulars.

Landlord and tenant (continued):

- Business premises (security of tenure): terms of new tenancy: rent: effect of improvements: whether improvements made by tenant during currency of tenancy expiring before commencement of 1954 Act to be taken into account [*In re "Wonderland," Cleethorpes; East Coast Amusement Co., Ltd. v. British Railways Board (H.L.)*], 455.
- Forfeiture of lease: relief from forfeiture: inherent jurisdiction: peaceable re-entry by landlord: non-payment of rent: whether jurisdiction to grant tenant relief [*Lovelock v. Margo (C.A.)*], 194.
- Lease for years: exception clause: construction: words cutting down term: provision for determination of term on 12 months' notice by landlord expiring at end of seventh year of lease: notice given during fourteenth year to expire during fifteenth year of lease: whether tenant entitled to residue of term: "at" [*Gruhn v. Balgray Investments, Ltd. (C.A.)*], 112.
- Rent restriction: decontrol: sublease: part of premises unlawfully sub-let before decontrol of whole house: waiver of unlawful sub-letting after date of decontrol: whether waiver retrospective to protect sub-tenant against head landlord [*Muspratt v. Johnson (C.A.)*], 252.
- Rent restriction: possession application: personal occupation, for: elderly and infirm landlord requiring services: proposed occupation of premises by married couple with a view to looking after him: occupation as a separate household: whether premises reasonably required by landlord as a residence for himself [*Richter v. Wilson (C.A.)*], 475.
- Rent restriction: premises within the Acts: sub-lease: agricultural cottage: head lease of agricultural holding: farm cottage on holding sub-let: sub-tenant not employed on farm: surrender of head lease by tenant: whether sub-tenant protected [*Hobhouse v. Wall (C.A.)*], 113.

Legal aid:

- Costs: both parties assisted: defended divorce: wife's petition not proceeded with: order for costs against wife [*Singlehurst v. Singlehurst (P.D.A.)*], 236.
- Costs: mortgage: assisted mortgagor: action by mortgagee for possession and payment of sums due: successful mortgagee entitled to add costs to security [*Halsall v. Egbunike (Ch. D.)*], 514.
- Costs: order against assisted person: determination of liability: legal aid certificate discharged after issue of writ: action dismissed for want of prosecution by assisted person: order that action be dismissed "with costs": defendant's costs to be taxed and paid by plaintiff: items incurred during currency of legal aid certificate: whether amount to be paid determined: whether determined "at the trial or hearing" [*Cope v. United Dairies (London), Ltd. (Q.B.D.)*], 236.
- Costs: order against assisted person: limited aid: divorce: certificate limited to maintenance and alimony: assisted person ordered to pay full costs of undefended petition: whether jurisdiction to make order: "proceedings" [*Mills v. Mills (C.A.)*], 214.
- Costs: order against assisted person: relevant circumstances: means of party: whether order reasonable [*Crystall v. Crystall (C.A.)*], 415.
- Costs: order on common fund basis: limited to amount payable by legal aid fund [*Eyres v. Vokins & Co., Ltd. (Q.B.D.)*], 196.
- Costs: public funds: discontinuance: husband's decision not to proceed made after main costs incurred: consideration by The Law Society [*Bulmer v. Bulmer and Goldsmith (P.D.A.)*], 157.
- Costs: public funds: indications of affluence of assisted parties: adjournment pending consideration by The Law Society [*Power v. Power and Hartman and East (Stickland and Frenchum intervening) (P.D.A.)*], 136.

Libel:

- Pleadings: innuendo: not supported by extrinsic facts: duty to withdraw unproved innuendo from jury: whether innuendo of fraud: whether damages excessive [*Rubber Improvement, Ltd. v. Daily Telegraph, Ltd.; Same v. Associated Newspapers, Ltd. (H.L.)*], 356.
- Privilege: official shorthandwriters: transcript of judge's summing-up for use of Court of Appeal: whether privileged: whether words altered to mislead Court of Appeal [*Stone v. Association of Official Shorthandwriters, Ltd. (Q.B.D.)*], 396.

Licensing:

- Costs: appeal: successful appeal to quarter sessions against conditions imposed by licensing justices: discretion as to costs on successful appeal: whether quarter sessions may award costs against successful appellant [*R. v. Hampshire Licensing Justices; ex parte Maggs (Q.B.D.)*], 176.

Limitation of action:

- Acknowledgment: debt: arrears of rent: negotiations for purchase of premises by tenant: "the question of outstanding rent can be settled as a separate agreement as soon as you present your account": whether an acknowledgment preventing time from running [*Good v. Parry (C.A.)*], 194.
- Negligence: injury caused by acts outside statutory period: injury first discovered within statutory period: when cause of action accrues: whether damage must be ascertainable: pneumoconiosis [*Cartledge v. E. Jopling & Sons, Ltd. (H.L.)*], 73.

Malaya:

- Land: compulsory acquisition: compensation, assessment of [*Lim Foo Yong, Ltd. v. Collector of Land Revenue (P.C.)*], 153.

Medical practitioner:

- Discipline: infamous conduct in a professional respect: canvassing patients of another doctor: depreciating professional skill, knowledge and services of same doctor: erasure of name from Medical Register: whether sufficient evidence to support findings of Disciplinary Committee [*Weisz v. General Medical Council (P.C.)*], 93.

Mental deficiency:

- Court of Protection: costs: proceedings under Mental Health Act, 1959: settlement of patient's property: application by relatives of patient: patient represented by Official Solicitor: receiver and relative representing class of persons likely to be affected by application also parties [*In re C.E.F.D. (Court of Protection)*], 217.

Metropolis:

- Passenger transport: fares: stage carriage: fivepenny ticket bought for sixpenny journey: request by conductor to pay minimum fare of 3d. for next stage: whether a request to pay "fare from the place whence he started": passenger alighting without paying extra 3d.: belief that correct fare 5d.: whether leaving "with intent to avoid payment" of fare [*Covington v. Wright (Q.B.D.)*], 477.

National Insurance:

- Benefit: disqualification: exception: not directly interested in trade dispute: jurisdiction of High Court on originating summons to determine whether commissioner's decision wrong in law [*Punton v. Minister of Pensions and National Insurance (Q.B.D.)*], 495.
- Insurable employment: trade union sick steward: union members liable to be called on to serve as sick steward: duties defined by union rules: whether contract with union a contract of service: whether agent of union [*Amalgamated Engineering Union v. Minister of Pensions and National Insurance (Q.B.D.)*], 195.

Negligence:

- Duty of care: careless misrepresentation: bankers: references given by bankers financing company in precarious financial condition: references asked for and given "without responsibility": whether duty

Negligence (continued):

- of care undertaken: whether action against bankers maintainable [*Hedley Byrne & Co., Ltd. v. Heller & Partners, Ltd. (H.L.)*], 454.
- Duty of care: foreseeability of injury: rescuer: child trespassing on railway track: foreseeability of trespass: independent right of rescuer: duty of care owed to rescuer [*Videan v. British Transport Commission (C.A.)*], 458.
- Duty of care: foreseeability of injury: unexpected accident of foreseeable type: work in roadway: open manhole unguarded: paraffin warning lamps: child playing with lamps: explosion: injury to child: duty of care to child [*Hughes v. Lord Advocate (H.L.)*], 232.
- Duty of care: hospital: doctor: transfer of patient for treatment: failure of communication: injury necessitating anti-tetanus injection: no injection given at cottage hospital: instructions to attend another hospital without explanation or documents: patient instead saw own doctor: doctor's failure to inquire whether injection given: patient's death of tetanus infection: whether cottage hospital and doctor negligent [*Coles v. Reading and District Hospital Management Committee (Q.B.D.)*], 115.
- Duty of care: local authority providing special school bus: employee in charge of children: deaf and dumb schoolchild injured by van while crossing road immediately after descending from bus: duty of local authority employee: apportionment of liability between van owners and local authority: whether practice of Court of Appeal to see injured plaintiffs [*Ellis v. Sayers Confectioners, Ltd. (C.A.)*], 252.
- Duty of care: special duty: blind person: excavation in pavement: defendants without direct knowledge that blind person used to pass there: whether special duty of care owed to blind person [*Haley v. London Electricity Board (Q.B.D.)*], 416.
- Foreseeability: employment: dangerous area: foreseeability of risk of fall [*Vernon v. British Transport Commission (C.A.)*], 113.
- Independent contractor: duty owed to visitor: defective repairs to ceiling: fall of ceiling injuring visitor: no liability on occupier: questions of reality: no relationship of owner, tenant, lessor or lessee: whether independent contractor in breach of duty [*O'Connor v. Swan & Edgar, Ltd. (Q.B.D.)*], 215.
- Medical diagnosis: plaintiff injured due to negligence of local authority employee: doctor's failure to diagnose plaintiff's congenital affliction activated by injury: settlement of claim against local authority for sum smaller than might have been obtained: whether doctor liable for loss [*Stevens v. Bermondsey and Southwark Group Hospital Management Committee (Q.B.D.)*], 478.
- Road traffic: apportionment of liability: lorry driver's attention distracted by driver of car alongside seeking to draw attention to previous collision between his car and lorry: further collision caused with third vehicle: substantial cause of accident [*Rothwell v. Davies Brothers (Haulage), Ltd. (C.A.)*], 436.
- Safe system of work: plant and equipment: electric cable: fire caused by defect: whether employer liable to employee for manufacturer's negligence [*Sumner v. William Henderson & Sons, Ltd. (Q.B.D., C.A.)*], 74, 436.

New Zealand:

- Company: statutory reduction of dividend on cumulative preference shares: shareholder's application for relief: whether date of purchase of shares relevant: duration of right to apply for relief: whether personal circumstances of shareholder to be investigated [*"Truth" (N.Z.), Ltd. v. Howey (P.C.)*], 394.

Partnership:

- Partnership deed: construction: fixed salary of £1,200 payable to partner "as a

Partnership (continued):

first charge on profits: profits below £1,200 in certain years: whether salary reducible [Marsh v. Stacey (C.A.)], 512.

Patent:

Crown, use by: "make, use and exercise": drug: user of invention for National Health Service: tenderer authorised to import from abroad: whether making, using or exercising for the services of the Crown [Pfizer Corporation v. Ministry of Health (Ch. D.)], 56.

Police:

Dismissal of chief constable: power of watch committee to dismiss for misconduct: whether power exercisable under Municipal Corporations Act, 1882, or Police Act, 1919: whether power to be exercised in accordance with natural justice: appeal to Home Secretary: whether decision final [Ridge v. Baldwin (H.L.)], 313.

Power of appointment:

Special power: release: foundation established by trust: power to trustees to revoke trusts and to appoint new trusts and discretionary powers: appointment by trustees of foundation on trusts indicated as trustees of founder's will should appoint: whether trustees of founder's will able so to release power conferred on them by that appointment as to preclude successors in office from exercising it [*In re Wills' Trust Deeds* (Ch. D.)], 475.

Practice and procedure:

Consent order: injunction: defendants not represented by counsel at hearing: order made subject to consent being endorsed on defendants' counsel's brief [Lo-cost Heating Co., Ltd. v. Northern Central Heating Co. (Cleveland), Ltd. (Ch. D.)], 254.

Court of Appeal: lodging papers: expedition: to be lodged as soon as appeal entered [Practice Note, 15th March, 1963 (C.A.)], 235.

Interlocutory relief: records: foreign company: action as to whether control in council of administration appointed by foreign statute or in directors: whether records of company should be delivered up to council by directors on motion for interlocutory relief [Bailey (Malta), Ltd. v. Bailey (C.A.)], 458.

Money in court: payment out to solicitors and nominees of persons entitled: form of order [Woodhead v. Bates (Ch. D.)], 514.

Originating summons: validity: summons sealed in district registry: Rule of Supreme Court requiring sealing in Central Office: whether a fundamental failure to comply with statutory requirements: whether a nullity [*In re Pritchard* (C.A.)], 154.

Parties: joinder: co-plaintiffs: copyright infringement action: action initiated by licensees: copyright owners joined as co-plaintiffs: subsequent withdrawal by

Practice and procedure (continued):

owners of retainer to co-plaintiffs solicitors: owners' application to withdraw as co-plaintiffs and be added as defendants: discretion [Warwick Film Productions, Ltd. v. Eisinger (Ch. D.)], 514.

Parties: joinder: tripartite agreement: agreement compromising action: purchase of house to perfect title of third parties: claim for damages for breach of agreement: whether necessary to join third parties [Jessup v. McMullen (Q.B.D.)], 396.

Pleadings: particulars: contract to supply electricity: alleged breach by chairman of electricity board: whether defendant entitled to further and better particulars of contract: accessibility of contract to defendant precluding his being prejudiced by lack of particulars [Ackrill v. Peirson (C.A.)], 314.

Privy Council:

Costs: criminal cases: no absolute rule of practice that successful appellant not to receive costs of appeal [Lim Chin Aik v. R. (No. 2) (P.C.)], 312.

Jurisdiction: point of law not taken below: circumstances in which point not taken in court below may be argued [United Marketing Co. v. Kara (P.C.)], 312.

Leave to appeal: special leave: *in forma pauperis*: not to be granted automatically on certificate of counsel that ground of appeal reasonable [Nelson v. East African Newspapers (Nation Series), Ltd. (P.C.)], 491.

Rating:

Gas board: transitional provisions: "rates actually levied" on board: sums paid by board under lease from corporation: whether sums paid in respect of rates levied on board [North-Western Gas Board v. Manchester Corporation (Q.B.D.)], 75.

Industrial hereditament: television studio: transmission of electrical impulses: whether electrical impulse an "article": whether studio a "workshop": whether an "electrical station" [Granada T.V. Network, Ltd. v. Kerridge (Valuation Officer) (C.A.)], 233.

Rateable occupation: matrimonial home: wife left in house by husband: whether wife in rateable occupation [Malden and Coombe Corporation v. Bennett (Q.B.D.)], 375.

Rateable occupation: shop: occupier assigning lease: articles left in shop: whether occupier in rateable occupation [Appleton v. Westminster City Council (Q.B.D.)], 478.

Religion: places of "public religious worship": exemption: Mormon temple certified as place of religious worship: restrictions on entry: "public": whether temple exempt from rating [Church of Jesus Christ of Latter-Day Saints v. Henning (Valuation Officer) (H.L.)], 455.

Registered land:

Mortgage: tenant's rights: deserted wife: whether right to occupy matrimonial home an "overriding interest" [National Provincial Bank, Ltd. v. Hastings Car Mart, Ltd. (Ch. D.)], 295.

Restrictive practices:

Direction of Board of Trade: part of agreement removed from register: validity [*In re British Steel Founders Association's Agreement* (R.P. Ct.)], 358.

Practice: undertaking: form: assurances given to court during hearing of reference: decision influenced by assurances: form of final order: assurances incorporated into order as undertakings: form of undertakings: registrar's request to see books and accounts of members: whether justifiable request [*In re Permanent Magnet Association's Agreement* (No. 2) (R.P. Ct.)], 78.

Registration: agreements registrable: "arrangement": identical agreements of steel companies with subsidiary: agreements executed by companies independently: subsidiary required to purchase from companies in proportionate quantities [*In re British Basic Slag, Ltd.'s Application* (C.A.)], 457.

Registration: agreements registrable: Crown interest: telephone manufacturers: restrictive trading agreement: agreement between manufacturers and Postmaster-General: orders to be placed with single manufacturer nominated by committee: agreement immune from registration: subsequent agreement between manufacturers: regulation of procedure for carrying out agreement with Postmaster-General: imposition of quota scheme: whether subsequent agreement registrable [*In re Telephone Apparatus Manufacturers' Application* (C.A.)], 271.

Restriction: conditions of contract: building trade: recommendation to use standard forms of contract: R.I.B.A. forms: forms of benefit to public: recommendation without appreciable effect on use of forms: whether recommendation contrary to public interest [*In re Birmingham Association of National Federation of Building Trades Employers' Agreement* (R.P. Ct.)], 318.

Restriction: descriptions of goods: price restrictions terminated: waste paper trade: schedule of descriptions: definitions of goods set out in schedule: agreement between paper merchants and mills to incorporate definitions in dealings: standardisation assisting sorting of grades: whether registrable restrictions [*In re British Waste Paper Association's Agreement* (R.P. Ct.)], 377.

Restriction: distribution restriction: tyre trade: restriction on supply of replacement tyres on trade terms: tyres supplied only to traders on register: qualifications required for registration: road accidents



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Restrictive practices (continued):

likely if tyres incorrectly fitted or wrong tyres fitted: public incompetence to fit tyres: public well accustomed to free fitting of tyres: competitive buyers' market: whether restriction "reasonably necessary" for protection of public [*In re Tyre Trade Register Agreements* (R.P. Ct.)], 237.

Restriction: price restriction: jute trade: fixed prices for sale of jute products: protection of jute industry from price competition of imported products: jute industry situated in area of heavy unemployment: whether agreements necessary to make protection effective: whether agreements in public interest [*In re British Jute Trade Federal Council's Agreements* (R.P. Ct. (Scotland))], 275.

Restriction: price restriction: waste paper trade: recommendation to pay local authorities minimum price for baled mixed waste paper: essential raw material for board and paper manufacture: six largest mills taking almost whole of local authorities' supplies: whether local authorities would salvage waste paper without recommendation: whether benefits or advantages conferred on public [*In re British Paper and Board Makers Association's Agreement* (R.P. Ct.)], 376.

Revenue:

Estate duty: contribution to: testator's estate comprising real and personal property in Australia and personal property in England: English domicile: duty on Australian property paid: residue in England insufficient to pay estate duty: no testamentary direction varying incidence of duty: on what property liability to be thrown [*In re Buesst's Will Trusts*; *Churcher v. Bouck* (Ch. D.)], 74.

Estate duty: gift *inter vivos*: marriage settlement: settlement made on marriage of settlor's daughter: discretionary trusts for all settlor's children: death of settlor within five years: whether settlement "made in consideration of marriage" [*Inland Revenue Commissioners v. Rennell* (H.L.)], 232.

Estate duty: property chargeable: movable property situate abroad: testamentary disposition: testator domiciled abroad: trusts valid in country of domicile: death of tenant for life domiciled in England: whether proper law of disposition foreign law: whether property situate abroad exempt from estate duty [*In re Levick's Will Trusts* (Ch. D.)], 235.

Estate duty: property chargeable: property passing on death: similar interest before and after death: during settlor's lifetime income to be applied for benefit of grandchildren and surplus to be accumulated as accretion to capital: at settlor's death trust fund to grandchildren: settlor a trustee of settlement: whether trust fund exempt from duty [*In re Doughty's Settlement*; *Doughty v. Inland Revenue Commissioners* (Ch. D.)], 477.

Estate duty: property chargeable: property passing on death: similar interest before and after death: life interest during joint lives of settlor and life tenant: reversion to life tenant on surviving settlor: resettlement by life tenant of life interest and reversion on himself for life: whether beneficial interest accrues on death of settlor [*Morgan v. Inland Revenue Commissioners* (C.A.)], 35.

Estate duty: property chargeable: property passing on death: similar interest before and after death: marriage settlement: discretionary trusts in favour of a class: class of beneficiaries before and after settlor's death almost identical [*General Accident Fire and Life Assurance Corporation, Ltd. v. Inland Revenue Commissioners* (Ch. D.)], 315.

Income tax: "annual payment": covenant to pay sum equal to company's trading deficit: tax deducted from sum paid: whether trading receipt in company's hands [*British Commonwealth International Newsfilm Agency, Ltd. v. Mahany* (Inspector of Taxes) (H.L.)], 14.

Revenue (continued):

Income tax: capital or income receipt: dividend: shares held by English investment holding company in Maryland corporation: distribution by Maryland corporation of shares in another Maryland corporation: "distribution in partial liquidation": whether capital or income in hands of English company [*Rae* (Inspector of Taxes) v. *Lazard Investment Co., Ltd.* (H.L.)], 474.

Income tax: capital or income receipt: sale of "know-how": lump sum payments [*Musker* (Inspector of Taxes) v. *English Electric Co., Ltd.*; *Inland Revenue Commissioners v. Same* (C.A.)], 135.

Income tax: deed of covenant: whether income payable "for a period which cannot exceed six years" [*Inland Revenue Commissioners v. Verdon-Roe* (C.A.)], 14.

Income tax: employment: director's emolument: costs of defence to charge of dangerous driving paid by company: whether sum expended by company on costs a taxable emolument of director [*Rendell v. Went* (Inspector of Taxes) (Ch. D.)], 253.

Income tax: employment: director's emolument: living accommodation: tenancy of company's house: owner's rates, feu duty and insurance premiums paid by company: repairs carried out by company under terms of tenancy [*Luke v. Inland Revenue Commissioners* (H.L.)], 174.

Income tax: friendly society: bonus to members: deduction from profits: part of bonus allocated to purchase of shares in society: whether amounts calculated by reference to members' transactions with society: whether deductible [*Staffordshire Egg Producers, Ltd. v. Spencer* (Inspector of Taxes) (C.A.)], 513.

Income tax: machinery or plant: meaning: office: movable partitions: whether plant [*Jarrolld* (Inspector of Taxes) v. *John Good & Sons, Ltd.* (C.A.)], 153.

Income tax: profits of trade: deduction of expenditure on technical education of employees: farmer's sons attending course in agriculture: whether education may be bought for specific persons or money must be applied generally [*Wickwar* (Inspector of Taxes) v. *Berry* (C.A.)], 493.

Income tax: profits of trade: deposits: bespoke tailoring: "deposits" on order: unclaimed: whether trading receipts: whether to be included in profits and gains of year of receipt [*Elson* (Inspector of Taxes) v. *Prices Tailors, Ltd.* (Ch. D.)], 195.

Income tax: profits of trade: dividend stripping: dealer in stocks and shares: whether dividends "investment income": whether investment company [*F. S. Securities, Ltd. v. Inland Revenue Commissioners* (Ch. D.)], 135.

Profits tax: distribution charge: holding company owning and holding trading company's share capital: grouping notice by holding company: trading company's profits taxable as holding company's profits: voluntary winding up by both companies: assessment to profits tax on both companies: distribution charge on holding company: whether chargeable accounting period ended by holding company's winding up was that company's last chargeable accounting period: whether distribution charge justified [*Inland Revenue Commissioners v. Olive Mill, Ltd.* (Ch. D.)], 476.

Profits tax: investment income: subsidiary companies ceasing to trade: subsequent distribution of dividends: whether dividends from "a body corporate carrying on a trade or business" [*Inland Revenue Commissioners v. Clifforia Investments, Ltd.* (Ch. D.)], 294.

Purchase tax: valuation of goods: football pool coupons: copyright: tax on wholesale value of goods in open market: only one possible buyer: whether "open market" limited by particular factors of sale [*J. & C. Moores, Ltd. v. Commissioners of Customs and Excise* (Q.B.D., C.A.)], 255, 492.

Road traffic:

Careless driving: collision: car emerging slowly from car-park when driver's view of

Road traffic (continued):

road was obstructed by parked cars: whether evidence on which justices could convict [*O'Connell v. Fraser* (Q.B.D.)], 95.

Drink, driving under influence of: evidence: medical examination: driver told that medical examination for illness only: admissibility of doctor's evidence as to fitness to drive [*R. v. Payne* (Cr. A.)], 97.

Drunk in charge: likelihood of driving: defendant found asleep at wheel of car: relevance of intention: onus of proof of likelihood of defendant's driving while unfit [*Morton v. Confer* (Q.B.D.)], 417.

Drunk in charge: road or other public place: car park of public house: whether there was evidence on which car park could be held not a public place: necessity of physical obstruction or prohibition to constitute private place [*R. v. Waters* (Cr. A.)], 275.

Licence: reversing, vehicle equipped for: three-wheeled car with reverse gear: gear unusable: whether equipped with means for reversing [*Baldwin v. Worsman* (Q.B.D.)], 215.

"Motor vehicle": "intended or adapted for use on roads": go-kart: whether intended or adapted for use on roads: "intended or adapted" [*Burns v. Currell* (Q.B.D.)], 272.

Special type of vehicle: overall length: cattle transporter: container attached to motor vehicle by bolts: vehicle within permitted length when container removed: permitted length exceeded when container in position: whether offence to use vehicle on road with container in position [*Claude Hughes & Co. (Carlisle), Ltd. v. Hyde* (Q.B.D.)], 115.

Trailer: "land implement": whether required to have springs, brakes and wings when drawn by lorry [*Amalgamated Roadstone Corporation, Ltd. v. Bond* (Q.B.D.)], 316.

Sale of goods:

Description, sale by: sampling and analysis: evidence: standard commercial contract providing for sampling and analysis of goods, and finality of such analysis: right of rejection for breach of implied condition as to correspondence with description: whether buyers entitled to rely on analysis made outside terms of contract [*W. N. Lindsay & Co., Ltd. v. European Grain & Shipping Agency, Ltd.* (C.A.)], 435.

Shipping:

Charterparty: construction: secondary destination: "or so near thereto as she may safely get": pilotage regulations preventing voyage to named port for five months: discharge of cargo 250 miles away [*S.S. Athamas* (Owners) v. *Dig Vijay Cement Co., Ltd.* (C.A.)], 315.

Charterparty: demurrage: "weather working days": "working days": meaning: whether Saturday a "working day": weather preventing work for part of day: computation of length of "weather working day" [*Reardon Smith Line, Ltd. v. Ministry of Agriculture, Fisheries and Food*; *Carlton Steamship Co., Ltd. v. Same*; *Cape of Good Hope Motor Ship Co., Ltd. v. Same* (H.L.)], 133.

Limitation of liability: tug and tow in collision: dumb barge in tow of steam-tug in separate ownership: whether damages payable by owners of tug based on tonnage of tug alone or on combined tonnage of tug and tow [*Alexandra Towing Co., Ltd. v. Dumb Barge Millel* (Owners); *The Bramley Moore* (P.D.A.)], 296.

Solicitor:

Costs: personal liability: issue fought without misconduct: submission of law by solicitor defending legally aided client in criminal proceedings: appeal by prosecution from dismissal of charges by justices allowed: solicitor's submission of law held bad and unmeritorious: order that solicitor personally pay prosecution costs made without giving solicitor notice or opportunity to be heard: no misconduct in solicitor taking bad point: order as to costs made *per incuriam* set aside [*Abraham v. Jutson* (C.A.)], 357.

Solicitor (continued):

Costs: personal liability: negligence: collusive offer in divorce suit: failure to defend claim for damages against co-respondent: offer to husband's solicitors to withhold facts from court if husband would drop claim for damages: damages awarded against co-respondent [Jakeman v. Jakeman and Turner (P.D.A.)], 438.
Discipline: service of notices of hearing by Disciplinary Committee: notice not sent to last known business address: solicitor an undischarged bankrupt unable to hold practising certificate: whether he was a "solicitor" and so not entitled to such service [In re A Solicitor (Q.B.D.)], 216.
Fraud: fraudulent conversion: money received as counsel's and shorthandwriters' fees: failure to pay: whether fraudulent conversion [R. v. Yule (Cr. A.)], 497.

Special case:

Preliminary questions: consultative case: negligence: safe system of work: plant and equipment: electric cable: fire caused by defect: preliminary question as to employer's liability to employee for manufacturer's negligence: whether decision in Queen's Bench Division hypothetical: whether judgment should be set aside [Sumner v. William Henderson & Sons, Ltd. (Q.B.D., C.A.)], 74, 436.

Thames conservancy:

Navigation: passing: passenger vessel navigating up river colliding with dinghy tacking across: whether passenger vessel "passing" dinghy: whether person in charge of passenger vessel guilty of lack of special care and caution [Jones v. Thomas (Q.B.D.)], 272.

Town and country planning:

Amenity, injury to: condition of open land: second-hand car business carried on on open land in rural area: unauthorised development: agricultural land covered with broken-down vehicles and component parts: whether local planning authority entitled to require termination of use in order to abate injury to amenity: "condition" of land: meaning: whether "condition" apt to describe state of land resulting from use [Britt v. Buckinghamshire County Council (C.A.)], 153.
Caravan site: application for site licence: determination of application: failure to determine application within time limited: subsequent grant of licence on second application: validity of licence [Rees v. James (Q.B.D.)], 256.
Caravan site: application for site licence: "existing site": part of land with agricultural use and part with caravan use: whether deemed planning permission attached to whole parcel of land: whether placing of caravans on part with agricultural use a material change of use [Williams-Denton v. Watford Rural District Council (Q.B.D.)], 495.

Town and country planning (continued):

Caravan site: conditions of licence: no appeal against conditions: subsequent application to vary refused: whether refusal appealable [Peters v. Yiewsley and West Drayton Urban District Council (Q.B.D.)], 176.
Caravan site: conditions of licence: whether limited by planning permission: planning permission subject to condition: site licence issued with same condition: whether justices have jurisdiction to vary condition in site licence [R. v. Kent Justices; ex parte Crittenden (Q.B.D.)], 316.
Caravan site: conditions of licence: whether limited to matters of public health and town planning: conditions providing that rents to be agreed with local authority, for security of tenure and for other purposes: whether *ultra vires* [Mixnam's Properties, Ltd. v. Chertsey Urban District Council (Q.B.D.)], 175.
Enforcement notice: service: "occupier": use of land for display and parking of caravans and trailers by two companies with knowledge and consent of tenant: notice served on one company: whether notice validly served [Caravans and Automobiles, Ltd. v. Southall Borough Council (Q.B.D.)], 375.
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Enforcement notice: whether change of use a material change of use: egg-vending machine installed in garage forecourt: no misdirection in law: sufficient evidence to support Minister's decision: whether court can interfere [Bendles Motors, Ltd. v. Bristol Corporation (Q.B.D.)], 77.
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CONSOLIDATED FUND ACT, 1963

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on 31st March, 1963. [28th February, 1963.]

CHAPTER 2

BETTING, GAMING AND LOTTERIES ACT, 1963

An Act to consolidate certain enactments relating to betting, gaming, lotteries and connected matters. [28th February, 1963.]

CHAPTER 3

BETTING DUTIES ACT, 1963

An Act to consolidate certain enactments relating to the pool betting and bookmakers' licence duties. [28th February, 1963.]

CHAPTER 4

TOWYN TREWAN COMMON ACT, 1963

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The Law and The Letter

When an old established firm of solicitors makes a move, the present owners often find a pile of correspondence that has been accumulated for over a century and is now completely valueless to their business.

The solicitor is loath to destroy such correspondence for three reasons.

Firstly, if he had time to look through it, he *might* find a document of some legal value.

Secondly, if he is a good business man, he knows that he may be destroying something of historical or literary value.

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Juvenile court: jurisdiction: defendant attaining age of seventeen while on remand: fresh charge preferred: whether juvenile court has jurisdiction to try both charges summarily [R. v. Chelsea Juvenile Court Justices; *ex parte* Director of Public Prosecutions (Q.B.D.)], 792.

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Maintenance: dykes: internal drainage board: duty of commissioners under private Act to embank and keep in repair a dyke: devolution of duty on land drainage board: whether board liable for nonfeasance [Rippingale Farms, Ltd. v. Black Sluice Internal Drainage Board (C.A.)], 829.

Landlord and tenant:

Business premises (security of tenure): application for new lease: parties: mortgagee in possession: mortgagee who appoints receiver after commencement of proceedings to be joined as respondent [Meah v. Mouskos (C.A.)], 871.

Business premises (security of tenure): occupation for purposes of tenant's business: continuity of business user: tenant ceasing to trade from premises for period during pendency of application for new tenancy: stock left on premises: whether tenant ceased to occupy premises for purposes of a business [I. & H. Caplan, Ltd. v. Caplan (No. 2) (Ch. D.)], 792.

Covenant: insurance: tenant to pay "insurance rent": landlord to insure: whether implied covenant to reinstate: whether obligation to insure for mutual benefit [Mumford Hotels, Ltd. v. Wheler (Ch. D.)], 810.

Easement: water: farm: existing easement of water conveyed by tenancy agreement: agreement silent as to supply of water or maintenance and repair of water system: whether landlord under duty to supply water or maintain system [Morris v. Cartwright (C.A.)], 553.

Option to purchase: assignment: whether option personal to tenant: assignment of lease: subsequent specific assignment of option to same assignee: whether assignee entitled to exercise option [*In re Button's Lease*; Inman v. Button (Ch. D.)], 830.

Relief against forfeiture: mortgagee: non-payment of rent by assignee of lease: whether mortgagee-assignor entitled to relief [Belgravia Insurance Co., Ltd. v. Meah (Sorrenti Applicant) (C.A.)], 871.

Rent restriction: personal occupation: "let as a separate dwelling": house formerly sub-let in two parts: tenant residing in upper part: genuine intention to convert whole into home: whether protected in respect of whole [Haines v. Herbert (C.A.)], 850.

Legal aid:

Certificate: grant of: plaintiff unable to make out case: no evidence called [Rodgers v. British Transport Commission (Q.B.D.)], 619.

Costs: order against assisted person: certificate to continue appeal limited to obtaining counsel's opinion: certificate discharged thereafter: appeal continued on own resources: appeal dismissed: whether "an assisted person" during currency of certificate: whether liable for respondent's costs incurred between grant and discharge of certificate [Dugon v. Williamson (C.A.)], 572.

Costs: order against assisted person: limited aid: nullity: certificate limited to alimony, maintenance, secured provision and costs: assisted person ordered to pay full costs of undefended petition except costs of that order [Herbert v. Herbert (P.D.A.)], 893.

Libel and slander:

Defamatory meaning: spheres of judge and jury: letter to newspaper: Australia [Jones v. Skelton (P.C.)], 870.

Slander of title: form and occasion of publication not specified: whether particulars necessary [Schnitzer v. Medley (C.A.)], 810.

Licence or tenancy:

Agricultural agreement: requisitioned land: licence to occupy and use R.A.F. airfield as agricultural land: whether taking effect as agreement for tenancy [Finbow v. Air Ministry (Q.B.D.)], 535.

Licensing:

Club: club licence: licence in name of club proprietor: adjoining premises owned by proprietor: application for occasional licence for adjoining premises: whether proprietor "holder of a retailer's on-licence" [Birt v. Swansea Justices (Q.B.D.)], 555.

Lien:

Common law: artificer's lien: lien against bailor of goods delivered to artificer by bailee: motor van: right of bailee to part with possession to third party: breakdown while van under bailee's control: artificer instructed by bailee to take possession and effect repairs: bailee's failure to pay: whether artificer's lien exercisable against owner [Tappenden (trading as English and American Autos) v. Artus (C.A.)], 572.

Limitation of action:

Land, recovery of: squatter's title: user of land by trespasser for over twelve years: offer to purchase: whether acknowledgment of title: costs: discretion to order payment of costs of third parties [Edginton v. Clark (C.A.)], 617.

Local government:

Member of local authority: disqualification: paid office "in the gift or disposal" of local authority: headmaster of county school member of local council: appointment by independent committee [Boyd v. Easington Rural District Council (Ch. D.)], 830.

Maintenance of suit:

ChamPERTY: assignment of claim: assignment to plaintiff in consideration of proportion of sum to be recovered: enforcement by plaintiff dependent on litigation: whether champertous: whether champerty properly raised by way of defence [Laurent v. Sale & Co. (Q.B.D.)], 665.

Master and servant:

Vicarious liability: course of employment: authorised act done in unauthorised way: lorry driver expressly prohibited by employer from allowing any other person to drive: incompetent person allowed to move lorry while driver in back of lorry in course of his duty: accident caused by inability to stop: liability of master [Ilkiw v. Samuels (C.A.)], 680.

Vicarious liability: course of employment: fire started by workman who had finished work and gone to warehouse to say good-bye to his friends [British Transport Commission v. Maxine & Co., Ltd. (Q.B.D.)], 1024.

Medical practitioner:

Discipline: complaint to disciplinary committee of General Medical Council: opening of case: whether rules imperative [R. v. Disciplinary Committee of the General Medical Council; *ex parte* Weisz (Q.B.D.)], 619.

Mental deficiency:

Court of Protection: patient's property: settlement under order of court: resettlement of settled property: object to provide for poorer members of wealthy patient's family: patient a bachelor aged forty-eight incapable of managing affairs but not insane: fiscal aspect: primogeniture where no mansion-house or estate: patient capable of marrying: discretionary settlement to confer power of revocation on patient's behalf during first fifteen years [In re R.H.C. (Ch. D.)], 791.

Merchandise marks:

False trade description: weight: employees (1) delivering sacks of coke deficient in weight and (2) handing over weight ticket: whether guilty of offence: sale agreement complete before delivery: whether employee delivering "sells" [Preston v. Albuery (Q.B.D.)], 891.

False trade description: weight: intent to defraud: coke underweight after thawing of ice content: whether honest belief that trade description not false a defence: when trade description deemed applied [Mercer v. Co-operative Retail Services, Ltd. (Q.B.D.)], 890.

False trade description: weight: intent to defraud: presumption of intent where description intentionally applied which proves false [Rye v. Williams Miles & Co. (Q.B.D.)], 891.

Mines and minerals:

Breach of statutory duty: practicability of precautions: statutory duty to insert cutter nogs: "impracticable" to insert nogs: practicable not to require men to work where duty could not be complied with: injury to workman: whether "impracticable to avoid or prevent the contravention": whether breach of statutory duty: negligence at common law not pleaded: liability of employers [Morris v. National Coal Board (C.A.)], 809.

Mortgage:

Reconveyance: endorsed receipt, by: moneys secured by legal charge paid by vendor after completion: effect [Cumberland Court (Brighton), Ltd. v. Taylor (Ch. D.)], 594.

National Health Service:

Consultant: remuneration: scope of employment: Northern Ireland: Tuberculosis Authority: specialist: service agreement: examination of radiographs of candidates for Royal Ulster Constabulary: whether specialist entitled to fees [Northern Ireland Hospitals Authority v. Whyte (H.L.)], 700.

Negligence:

Contributory negligence: employment: breach of duty by employer: whether employee's standard of intelligence relevant to his negligence [Baxter v. Woolcombers, Ltd. (C.A.)], 553.

Duty of care: contractor: house constructed by contractors for local authority: defect in construction: injury to tenant's wife: whether contractors liable [Sharpe v. E. T. Sweeting & Son, Ltd. (Q.B.D.)], 666.

Duty of care: foreseeability of injury: electric fire defective: plaintiff deliberately touching when fire switched on: appearance of safety: whether accident foreseeable by employer [McBrien v. Arden & Cobden Hotels, Ltd. (C.A.)], 791.

Negligence (continued):

Duty of care: foreseeability of injury: employment: dermatitis produced by chemically impregnated sand at foundry: washing facilities: no previous case of dermatitis from same cause: foreseeability to be judged in the light of defendants' knowledge at time of infection [Wishart v. Bradley & Craven, Ltd. (C.A.)], 554.

Duty of care: foreseeability of injury: wall in unsafe condition: injury to builders' employee: wall left standing by demolition contractors: architect's certificate issued: whether builders entitled to assume wall safe: whether duty of care owed by demolition contractors and architect [Clay v. A. J. Crump & Sons, Ltd. (C.A.)], 664.

Duty of care: foreseeability of injury: young child at holiday camp falling off low wall and through thin glass: architect not foreseeing danger: whether technical qualifications relevant to foreseeability: contributory negligence: disobedient child: whether disobedience relevant to regard for own safety [French v. Sunshine Holiday Camp (Hayling Island), Ltd. (Q.B.D.)], 595.

Duty of care: occupiers, as: fire in store during structural alterations: failure to close fireproof doors: whether point open on appeal when court below found defendants not negligent in relation to doors [Murphy v. William Henderson & Sons, Ltd.; McBride v. Same (C.A.)], 534.

Duty of care: special duty: blind person: excavation in pavement: no direct knowledge of use by blind person: whether special duty of care [Haley v. London Electricity Board (C.A.)], 1001.

Nigeria:

Appeal to Privy Council: Federal Supreme Court of Nigeria: competency: discretion on question of interpretation of Regional Constitution: "final" decision of Supreme Court: legislative assembly: Governor's power to dismiss Premier: construction of Constitution [Adegbenro v. Akintola (P.C.)], 532.

Occupiers' liability:

"Common duty of care": delegation of duty: sweeps: employed to repair flues: warned of danger of working while fire alight by specialist employed by occupier: warning disregarded: sweeps killed by carbon monoxide poisoning: "special risks ordinarily incident" to sweeps' calling: whether occupier liable [Roles v. Nathan (trading as Manchester Assembly Rooms) (C.A.)], 680.

Patent:

Crown, use by: "make, use and exercise": drug: user of invention for National Health Service: tenderer authorised to import from abroad: whether making, using or exercising for services of Crown [Pfizer Corporation v. Ministry of Health (C.A.)], 828.

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Perpetuity rule:

Trust: resettlement: gift of life interest in trust fund to settlor's son, and on his death absolute gift to settlor's grandchildren: proviso that grandchildren's share to be forfeited on failure to resettle on great-grandchildren: whether restriction on alienation repugnant to absolute gift: whether invalid as device to circumvent perpetuity rule [*In re Wenger's Settlement*; *Wenger v. Baldwin* (Ch. D.)], 981.

Practice and procedure:

Adjournment: case adjourned on defendant's application from previous sittings: no application to fix fresh date for trial: application for fresh adjournment at sitting of court: costs not payable by litigants personally [*Graves v. Meadows* (Q.B.D.)], 793.

Default of appearance: debt: cheque accepted in part payment: judgment signed for whole debt: costs of application to set aside irregular judgment [*Bolt & Nut Co. (Tipton), Ltd. v. Rowland Nicholls & Co., Ltd.* (C.A.)], 909.

Discovery: relevance of document: libel and slander: malicious falsehood: special damage not alleged: whether discovery of plaintiff's income to be ordered [*Calvet v. Tomkies* (C.A.)], 791.

Divisional court: appeal to: no principle involved [*Fletcher v. Direct Coal & Lime Co., Ltd.* (Q.B.D.)], 892.

Evidence: documentary: medical reports: desirability of agreement or exchange: damages for personal injuries: plaintiff to hand over reports on terms that, in absence of agreement, he should be entitled to see defendant's reports [*Dalton v. Clark & Fenn, Ltd.* (Q.B.D.)], 595.

Evidence: examination of witnesses abroad: appeals to Special Commissioners of Income Tax: whether High Court has jurisdiction to order appointment of special examiner [*Leiserach v. Inland Revenue Commissioners* (C.A.)], 1022.

Jury, right to: discretion of judge: when Court of Appeal will intervene: personal injuries: running-down action: desirability of trial by judge alone in absence of special circumstances [*Hennell v. Ranaboldo* (C.A.)], 829.

Parties: right to be heard: appeal as to apportionment of damages: whether plaintiff who is entitled to succeed fully against either defendant will be heard [*Peters v. Harding* (C.A.)], 852.

Pleadings: amendment: negligence: employment: general allegation that machine not securely guarded: plaintiff's case as pleaded rejected by trial judge: judgment for plaintiff on general allegation: whether amendment of pleadings necessary [*Kerr v. James Bridge Copper Works, Ltd.* (C.A.)], 552.

Practice and procedure (continued):

Pleadings: Mines and Quarries Act, 1954: statutory defence to contravention of Act not pleaded: necessity to plead statutory defence if it is relied on [*Polden v. National Coal Board* (Q.B.D.)], 632.

Pleadings: statement of claim: amendment: action between underwriters for breach of copyright in insurance policies, passing-off, malicious falsehood and inducement of breach of contract: application to make amendment alleging conspiracy: undertaking by plaintiff not to oppose application to transfer to Commercial Court and for issues of bad faith to be tried by jury [*Poland v. Kennedy* (C.A.)], 630.

Set-off: mutuality: debt by company A to company B arising after appointment of receiver of company B: debt subject to debenture-holder's equitable charge: assignment by subsidiary company to company A of debt from company B: whether company B had right of set-off [*N. W. Robbie & Co., Ltd. v. Witney Warehouse Co., Ltd.* (C.A.)], 1038.

Writ: failure to serve within twelve months: renewal: good reason for non-service: negotiations proceeding for settlement of action [*The Prins Bernhard* (P.D.A.)], 812.

Privy Council:

Jurisdiction: Ceylon, to hear criminal appeals from: whether jurisdiction affected by independent sovereign status of Ceylon: nature and effect of Orders in Council giving effect to reports of Board [*Ibralebbe v. R.* (P.C.)], 1038.

Jurisdiction: fact, question of: questions of accounts only: no principle involved: matter unsuited to Board's jurisdiction [*Vander Poorten v. Vander Poorten* (P.C.)], 570.

Jurisdiction: review of exercise of discretionary power: failure to comply with conditions of appeal under West African Court of Appeal Rules: Court of Appeal's refusal to restore dismissed appeal: whether Board should intervene [*Short v. A.-G. of Sierra Leone* (P.C.)], 980.

Public authorities:

Statutory undertakers: liability for accident: gas explosions caused by bursting of water main: injuries to plaintiffs: no negligence by authorities: whether authorities liable in nuisance or under *Rylands v. Fletcher* [*Dunne v. North Western Gas Board* (C.A.)], 890.

Railway:

Intent to avoid payment of fare: time when intent formed: whether necessary for intent to be formed before passenger alights from train [*Bremme v. Dubery* (Q.B.D.)], 911.

Rating:

Gas board: transitional provisions: "rates actually levied" on board: sums paid by board under lease from corporation: whether sums paid in respect of rates levied on board [*North-Western Gas Board v. Manchester Corporation* (C.A.)], 593.

Restitution:

Restitution order: form: order not expressly directed to or against any named person: defendant convicted of breaking and entering and larceny: whether order binding on defendant: money deposited in bank in Scotland: whether owner entitled to judgment [*Barclays Bank, Ltd. v. Milne* (Q.B.D.)], 811.

Restraint of trade:

Employment: professional football players: retention and transfer system: whether in restraint of trade: whether *ultra vires* [*Eastham v. Newcastle United Football Club, Ltd.* (Ch. D.)], 574.

Restrictive practices:

Registration: agreements registrable: "profit pooling scheme": linoleum manufacturers: levy on certain sales paid into pool: levy calculated by multiplying weighted average marginal cost by members' sales: pool distributed to members in fixed proportions: no payment required unless member's levy exceeded his share of pool: whether payment calculated "in respect of quantities of goods or materials exceeding any quantity specified": whether agreement registrable [*In re Linoleum Manufacturers Association's Application* (Ch. D.)], 574.

Restriction: price restriction: common buying pool: sulphuric acid manufacturers: importation of acid sulphur: agreement not to import except through pool and to pay common delivered price: whether agreement necessary to secure fair terms from preponderant supplier: whether in public interest [*In re National Sulphuric Acid Association's Agreement* (R.P. Ct.)], 576.

Revenue:

Estate duty: property passing on death: similar interest before and after death: marriage settlement: discretionary trusts in favour of a class: class of beneficiaries before and after death almost identical [*General Accident, Fire and Life Assurance Corporation, Ltd. v. Inland Revenue Commissioners* (C.A.)], 870.

Estate duty: settlement: trusts in events which happened for tenant for life with remainder to issue: death of son of tenant for life intestate and bachelor: death of tenant for life: whether estate duty payable on intestate son's reversionary interest falling in on tenant for life's death: "property passing on deceased's death": "settled property": "other property" [*Rivington v. Inland Revenue Commissioners* (Ch. D.)], 810.



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Revenue (continued):

Estate duty: "surviving spouse" exemption: derivative settlement: duty paid on death of first life tenant: subsequent settlement of limited interests on death: whether deceased competent to dispose of "settled estates": whether claim for duty "in respect of" settled estates [Courtts & Co. v. Inland Revenue Commissioners (H.L.)], 592.

Income tax: capital or income receipt: insurance premiums repaid: mutual insurance company: liquidation: distribution of accumulated premiums to members: whether taxable as income [Stafford Coal and Iron Co., Ltd. v. Brogan (Inspector of Taxes); Same v. Inland Revenue Commissioners (H.L.)], 809.

Income tax: employment: director's emolument: costs of defence to charge of dangerous driving paid by company: whether sum expended by company on costs a taxable emolument of director [Rendell v. Went (Inspector of Taxes) (C.A.)], 552.

Income tax: employment: Rugby footballer: "signing-on" fee as professional: whether inducement to relinquish amateur status or reward for future services: terms of agreement: whether fee taxable [Jarrod (Inspector of Taxes) v. Boustead (Ch. D.)], 1023.

Income tax: profits of trade: dividend stripping: dealer in stocks and shares: whether dividends "investment income": whether investment company [F. S. Securities, Ltd. v. Inland Revenue Commissioners (C.A.)], 850.

Income tax: Schedule A: division of occupation: valuation between revaluation years: farm containing gravel pit: pit sold: unit of assessment: determination of annual value: whether by apportionment of value of farm unit or revaluation as "new property" [Welford Gravels, Ltd. v. De Voil (Inspector of Taxes) (H.L.)], 593.

Income tax: Schedule A: properties conveyed to persons not providing purchase money: "landlord" beneficially entitled to rents and profits [Soul v. Irving, Morley, Greenaway, Lane and Boyles (Inspectors of Taxes) (C.A.)], 930.

Income tax: settlement: capital payments to settlor: advances by settlor's wife to trustees: wife co-trustee: whether "loan": whether repayment to wife made by way of repayment of loan [Inland Revenue Commissioners v. De Vigier (C.A.)], 1002.

Income tax: settlement: revocability: children and remoter issue and their wives, husbands, widows and widowers: settlement by settlor on: special power to appoint whole fund to one of class of beneficiaries absolutely: whether settlement "provided" for its determination "by the act . . . of any person": whether irrevocable [Inland Revenue Commissioners v. Jamieson (H.L.)], 570.

Revenue (continued):

Income tax: share-dealing transactions: trading loss claim for rebate: associated companies: sale of securities at undervalue: whether loss in course of trade [Petrotrin Securities, Ltd. (formerly Gresham Trust, Ltd.) v. Ayres (Inspector of Taxes) (C.A.)], 908.

Income tax: solicitor: clients' money on deposit: appropriation of interest by solicitor: whether entitled to earned income relief [Brown v. Inland Revenue Commissioners (Court of Session—Exchequer Court)], 718.

Surtax: company: subsidiary company: sale of shares three days before end of accounting period: shares sold to two companies: direction that company's income be treated as original members' income: whether a "subsidiary company": apportionment of income on time basis [C. H. W. (Huddersfield), Ltd. v. Inland Revenue Commissioners (H.L.)], 592.

Surtax: total income: "short" interest payments: whether deductible from total income [Inland Revenue Commissioners v. Frere (Ch. D., C.A.)], 852, 1001.

Road traffic:

Careless driving: failure to halt at halt sign and halt lines: perverse decision of justices [Spencer v. Silvester (Q.B.D.)], 1024.

Drink, driving while under influence of: evidence: medical evidence: analyst's certificate as to amount of alcohol in blood: analyst not called: doctor's evidence as to conversion into pints of beer consumed and as to body's rate of destruction of alcohol: reference by doctor to tables published by British Medical Association: whether doctor's evidence admissible [R. v. Somers (Cr. A.)], 813.

Drink, driving while under influence of: evidence: request for specimen of urine: whether offer to supply part of specimen to defendant must be made simultaneously [R. v. Price (Cr. A.)], 933.

Indorsement of driving licence: special reasons for not indorsing: mistaken belief that insurance certificate covered riding of motor-cycle by third party: prior advice taken as to effect of certificate: whether belief based on reasonable grounds: whether special reasons [Carlton v. Garrity (Q.B.D.)], 1023.

Licence: excise licence: "keeps" a vehicle on public road: dealer rearranging showroom: unlicensed vehicle left on public road outside [Dudley v. Holland (Q.B.D.)], 1041.

Licence: general trade licence: lorry owned by motor dealers: dealers extending showrooms and garages: lorry used for building operations: whether used for business of motor dealers: whether two businesses [James v. Evans Motors (County Garages), Ltd. (Q.B.D.)], 630.

Road traffic (continued):

Negligence: keeping proper look-out: unlighted obstruction in country road: driver's duty to anticipate [Hill v. Phillips (C.A.)], 890.

Negligence: speed: 100 miles per hour on motorway: whether negligence [Hurlock v. Inglis (Q.B.D.)], 1023.

Special type of vehicle: overall length: cattle transporter: container attached to motor vehicle by bolts: vehicle within permitted length when container removed: permitted length exceeded when container in position: whether offence to use vehicle on road with container in position [John Stamper (Farms), Ltd. v. Hyde (Q.B.D.)], 982.

Third party insurance: "use . . . a motor vehicle on a road": passenger negligently opening door: injury to pedestrian: passenger's third party liability not covered by owner's insurance policy: whether "use" of motor vehicle by passenger: whether breach of statutory duty by owner [Brown v. Roberts (Q.B.D.)], 666.

Waiting in restricted street: *novus actus interveniens*: whether a mitigating circumstance or defence [Hunter v. Hammond (Q.B.D.)], 1024.

Sale of goods:

Passing of property in goods: possession of motor car given in exchange for worthless cheque: registration book retained by seller: whether intention to pass property in car: title of subsequent purchaser [Lambert v. G. & C. Finance Corporation, Ltd. (Q.B.D.)], 666.

Title: fraud: voidable title: election of seller to avoid contract for fraud: whether communication of election to purchaser essential to avoid purchaser's title: acquisition of voidable title by second purchaser: hire-purchase transaction: dealer with notice of defect in title to goods acting as general agent for finance company: whether finance company obtained good title [Car & Universal Finance Co., Ltd. v. Coldwell (Q.B.D.)], 738.

Settled land:

Merger: surrender of life interest to contingent reversioner: whether contingent reversioner takes absolutely [In re Bellville Settlement Trusts; Westminster Bank, Ltd. v. Bellville (Ch. D.)], 618.

Shipping:

Limitation of liability: tug and tow in collision: whether tug owners entitled to limit their liability to tonnage of tug [Alexandra Towing Co., Ltd. v. Dumb Barge Mallet (Owners); The Bramley Moore (C.A.)], 980.

Mortgage of ship: motion by mortgagee for payment out of proceeds of sale of ship: determination of priorities: wage claims of master and crew: principles applicable [The Leoborg (P.D.A.)], 1004.



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Shipping (continued):

Repairs: action against owner: motion for judgment in default of appearance: duty of plaintiffs [*J. & J. Harrison, Ltd. v. Carmania II* (Owner); *The Carmania II* (P.D.A.)], 739.

Solicitor:

Income tax: clients' money on deposit: appropriation of interest by solicitor: whether entitled to earned income relief [*Brown v. Inland Revenue Commissioners* (Court of Session—Exchequer Court)], 718.

Negligence: limitation of action: failure to issue writ before claim statute-barred: assessment of damages [*Yardley v. Coombes* (Q.B.D.)], 575.

Warrant to search solicitors' offices: invalid in referring to "documents reasonably suspected of having been forged" and in permitting search of whole premises: undertaking to withdraw warrant: documents handed over: discretion to refuse certiorari [*R. v. Rees; ex parte Bull* (Q.B.D.)], 556.

Town and country planning:

Building preservation order: right of appeal to High Court: right granted where orders made after commencement of Town and Country Planning Act, 1959: whether "order made" when made by planning authority or when confirmed by Minister: whether jurisdiction to hear appeal [*Iveagh v. Minister of Housing and Local Government* (C.A.)], 790.

Building preservation order: "special architectural or historic interest": houses forming part of square: relevance of surroundings [*Iveagh v. Minister of Housing and Local Government* (C.A.)], 851.

Building preservation order: whether rectory an "ecclesiastical building" [*Phillips v. Minister of Housing and Local Government* (Q.B.D.)], 932.

Caravan site: conditions of licence: existing use rights: application for site licence: permission subject to conditions specifically limiting number of caravans: whether derogating from existing rights: whether conditions valid: dismissal by Minister of appeal against conditions: effect of order quashing Minister's decision [*Hartnell v. Minister of Housing and Local Government* (Q.B.D.)], 853.

Caravan site: "existing site": previous user by caravans: discontinued use: development of land as caravan site in 1960: no caravans: work carried on before March, 1960: whether "existing site" [*Biss (sub nom. Bliss) v. Smallburgh Rural District Council* (Ch. D.)], 701.

Development: parking of vehicles and building plant on land: whether incidental to building of bungalow: builder's business partly consisting of hiring out plant: time of service of enforcement notice [*Brown v. Hayes and Harlington Urban District Council* (Q.B.D.)], 931.

Town and country planning (continued):

Development: planning permission: condition: construction of road at developers' own expense with right of passage: no compensation: whether condition *ultra vires*: whether void for uncertainty [*Hall & Co., Ltd. v. Shoreham-by-Sea Urban District Council* (C.A.)], 1001.

Development, meaning: material change of use: dwelling-house used as private house in occupation of single family: continued residential user: use of house for multiple rent-paying occupiers: whether change of use [*Birmingham Corporation v. Minister of Housing and Local Government* (Q.B.D.)], 812.

Development, meaning: material change of use: grocer's shop and general dealer: demolition of shop buildings: use of site as open-air car mart: whether change of use [*Howell v. Sunbury-on-Thames Urban District Council* (C.A.)], 909.

Trust:

Variation: Act of 1958: jurisdiction of Chancery Division: infant beneficiary irresponsible: entitled to absolute interest on attaining majority: proposal to substitute protected life interest: whether arrangement should be approved: variation or resettlement: jurisdiction [*In re T's Settlement Trusts* (Ch. D.)], 981.

Variation: age of child-bearing: tenant for life born in 1911: children of tenant for life both over twenty-one: marriage of tenant for life to present husband in 1960: whether tenant for life past age of child-bearing [*Abbott v. Service* (Ch. D.)], 681.

Vagrancy:

Procurement: frustrated: procuring girl under twenty-one to have sexual intercourse: no sexual intercourse in fact: whether "procuring" [*R. v. Johnson* (Gerald) (Cr. A.)], 1042.

Prostitution: brothel: premises home of two women: women related and both prostitutes: one woman the tenant and occupier of the premises: whether a "brothel": "assist in the management of a brothel" [*Gorman (sub nom. Gordon) v. Standen; Palace-Clark v. Same* (Q.B.D.)], 811.

Prostitution: meaning: participation in physical act of indecency: whether "prostitution" [*R. v. Webb* (Cr. A.)], 597.

Vendor and purchaser:

Completion: delay: interest: vendors entitled to interest on unpaid purchase money: option to take income instead of interest: whether delay attributable to default of vendors: whether vendors entitled to interest: whether entitled to income [*In re Hewitt's Contract* (Ch. D.)], 1003.

Vendor and purchaser (continued):

Contract: latent defects: uncompleted bungalow: contract providing that purchaser to accept inspection by local authority building surveyor as "conclusive evidence that the property has been satisfactorily completed": whether builders absolved from liability for defects [*A. Richards (Builders), Ltd. v. White* (C.A.)], 828.

Defective title: land subject to legal charge: conveyance: receipt endorsed on legal charge two days after date of conveyance: whether receipt operates to free property from charge: whether transfer to vendor: whether feeding the estoppel: whether legal charge creating legal estate: whether a good title: "able, ready and willing to complete": "right to keep the mortgage alive": National Conditions of Sale, 17th ed., Condition 22 [*Cumberland Court (Brighton), Ltd. v. Taylor* (Ch. D.)], 594.

Defective title: right to rescind contract: inability to comply with purchaser's requisitions: vendor not reckless in failing to warn purchaser of defect: vendor's contractual right to rescind: whether rightly exercised [*Selkirk v. Romar Investments, Ltd.* (P.C.)], 907.

West Africa:

Nigeria: Commissions and Tribunals of Inquiry Act, 1961: constitutional validity: partially invalid in respect of compulsive powers in matters "within Federal competence anywhere within the Federation": exclusion of jurisdiction of court void: commissioners' power to impose fine or imprisonment invalid [*Balewa v. Doherty* (P.C.)], 615.

Will:

Construction: "free of duty": legacies given "free of duty": legacy duty abolished after death of testatrix but before legacies payable: whether legacies exonerated from estate duty [*In re Paterson's Will Trusts; Lawson v. Page* (Ch. D.)], 631.

Construction: insensible words: words apparently of contingency: gift over: engrafted trusts: whether divested: whether literal construction avoidable [*In re Macandrew's Will Trusts; Stephens v. Barclays Bank, Ltd.* (Ch. D.)], 910.

Construction: revocation by second will: subsequent codicil to first will confirming that will: whether clause of revocation in first will brought up to date by codicil so as to revoke second will [*In re Pearson; Rowling v. Crowther* (Ch. D.)], 872.

Revocation: conditional: estates in England and Germany: separate disposition of German estate: ineffective under German law: codicil revoking provisions in respect of German estate: whether revocation contingent on effective disposition of German estate [*In re Feis; Guillaume v. Ritz-Remorf* (Ch. D.)], 555.



THE TOLL OF THE SEA

In 1962 this Society cared for 333 Survivors from 43 vessels and gave IMMEDIATE RELIEF to 161 dependants of men lost at sea during that period.

Over 3,500 aged seamen, fishermen and their families were assisted.

Relief expenditure for the year £51,000.

Please help this National work.

Legacies are particularly welcome.

**SHIPWRECKED Fishermen and
MARINERS' Royal Benevolent SOCIETY**

(C6) 16 Wilfred St., WESTMINSTER, LONDON, S.W.1

Patron: H.M. THE QUEEN

STATUTES

ENACTED IN PARLIAMENT, 1963 (JULY TO DECEMBER)

CHAPTER 16

PROTECTION OF DEPOSITORS ACT, 1963

An Act to penalise fraudulent inducements to invest on deposit; to restrict and regulate the issue of advertisements for deposits; to make special provision with respect to the accounts to be delivered by and the supervision of companies which issue such advertisements; to amend section 13 of the Prevention of Fraud (Investments) Act, 1958; and for purposes connected with the matters aforesaid.

[10th July, 1963.]

CHAPTER 17

TOWN AND COUNTRY PLANNING ACT, 1963

An Act to make further provision with respect to development comprised in Schedule 3 to the Town and Country Planning Act, 1962, and Schedule 3 to the Town and Country Planning (Scotland) Act, 1947.

[10th July, 1963.]

CHAPTER 18

STOCK TRANSFER ACT, 1963

An Act to amend the law with respect to the transfer of securities.

[10th July, 1963.]

CHAPTER 19

LOCAL EMPLOYMENT ACT, 1963

An Act to make further provision for the payment of grants under the Local Employment Act, 1960, towards the cost of machinery, plant and buildings required by undertakings in development districts, and to enable the Board to fulfil certain agreements in localities which have ceased to be development districts.

[10th July, 1963.]

CHAPTER 20

REMUNERATION OF TEACHERS ACT, 1963

An Act to empower the Minister of Education to make provision by order (otherwise than in accordance with section 89 of the Education Act, 1944) with respect to the remuneration of teachers; and for purposes connected therewith.

[10th July, 1963.]

CHAPTER 21

EDUCATION (SCOTLAND) ACT, 1963

An Act to provide for the establishment of a board in Scotland for the purpose of discharging certain functions relating to examinations for pupils receiving secondary education and others; to amend the provisions of the Education (Scotland) Act, 1962, with respect to the scope of regulations prescribing scales of salary for teachers and to the provision of pensions for widows, widowers, children and dependants of teachers; to amend certain provisions of the Local Government (Scotland) Act, 1947, relating to membership of education committees and of sub-committees thereof; and for purposes connected with the matters aforesaid.

[10th July, 1963.]

CHAPTER 22

SHERIFF COURTS (CIVIL JURISDICTION AND PROCEDURE) (SCOTLAND) ACT, 1963

An Act to increase the amount by reference to which actions are classified as summary causes in the sheriff court in Scotland; to increase the amount by reference to which the small debt jurisdiction of the sheriff is limited; to amend the law with regard to the bringing of actions between spouses for interim aliment of small amounts in the sheriff's small debt court and with regard to the jurisdiction of the sheriff in such actions brought as aforesaid; and for purposes connected with the matters aforesaid.

[10th July, 1963.]

CHAPTER 23

FORESTRY (SALE OF LAND) (SCOTLAND) ACT, 1963

An Act to extend the power conferred on the Secretary of State by paragraph (c) of subsection (7) of section 4 of the Forestry Act, 1945, to sell land vested in or acquired by him by or under the said section 4.

[10th July, 1963.]

CHAPTER 24

BRITISH MUSEUM ACT, 1963

An Act to alter the composition of the Trustees of the British Museum, to provide for the separation from the British Museum of the British Museum (Natural History), to make new provision with respect to the regulation of the two Museums and their collections in place of that made by the British Museum Act, 1753, and enactments amending or supplementing that Act, and for purposes connected with the matters aforesaid.

[10th July, 1963.]

CHAPTER 25

FINANCE ACT, 1963

An Act to grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance.

[31st July, 1963.]

CHAPTER 26

APPROPRIATION ACT, 1963

Apply a sum out of the Consolidated Fund to the service of the year ending on 31st March, 1964, and to appropriate the supplies granted in this Session of Parliament.

[31st July, 1963.]

CHAPTER 27

OATHS AND EVIDENCE (OVERSEAS AUTHORITIES AND COUNTRIES) ACT, 1963

An Act to authorise the administration of oaths and the performance of notarial acts by representatives of, and other persons empowered by the authorities of, countries overseas, and by representatives of Her Majesty in post overseas; and to amend the Foreign Tribunals Evidence Act, 1856, and the Evidence (Foreign, Dominion and Colonial Documents) Act, 1933.

[31st July, 1963.]

CHAPTER 28

OIL IN NAVIGABLE WATERS ACT, 1963

An Act to enable effect to be given to certain amendments of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, and otherwise to extend the Oil in Navigable Waters Act, 1955.

[31st July, 1963.]

CHAPTER 29

LOCAL AUTHORITIES (LAND) ACT, 1963

An Act to make amendments of the law relating to the functions of local authorities in relation to land to the like effect as those commonly made in local Acts; to enable local authorities to make advances for the erection of buildings and to provide accommodation for keeping motor vehicles; to amend the provisions of the National Parks and Access to the Countryside Act, 1949, relating to the treatment of derelict land; to amend the law with respect to the power of municipal boroughs to use the general rate fund and borrow for non-statutory purposes; to apply Part II of the Town and Country Planning Act, 1959, to corporate land; and for purposes connected with the matters aforesaid.

[31st July, 1963.]

CHAPTER 30

STATUTE LAW REVISION ACT, 1963

An Act to revise the statute law by repealing obsolete, spent, unnecessary or superseded enactments.

[31st July, 1963.]

CHAPTER 31

WEIGHTS AND MEASURES ACT, 1963

An Act to make amended provision with respect to weights and measures, and for connected purposes.

[31st July, 1963.]

CHAPTER 32

PUBLIC LAVATORIES (TURNSTILES) ACT, 1963

An Act to make it the duty of local authorities to abolish turnstiles in public lavatories and sanitary conveniences.

[31st July, 1963.]

CHAPTER 33

LONDON GOVERNMENT ACT, 1963

An Act to make provision with respect to local government and the functions of local authorities in the metropolitan area; to assimilate certain provisions of the Local Government Act, 1933, to provisions for corresponding purposes contained in the London Government Act, 1939; to make an adjustment of the metropolitan police district; and for connected purposes.

[31st July, 1963.]

CHAPTER 34

RHODESIA AND NYASALAND ACT, 1963

An Act to confer on Her Majesty in Council powers requisite to provide for the dissolution of the Federation of Rhodesia and Nyasaland, or the secession therefrom of any of the Territories comprised in the Federation; and for purposes connected with the matters aforesaid.

[31st July, 1963.]

CHAPTER 35

MALAYSIA ACT, 1963

An Act to make provision for and in connection with the federation of North Borneo, Sarawak and Singapore with the existing States of the Federation of Malaya.

[31st July, 1963.]

CHAPTER 36

DEER ACT, 1963

An Act to provide close seasons for deer; to prohibit the killing and taking of deer by certain devices and at certain times and to restrict the use of vehicles in connection with the killing and taking of deer; and for purposes connected with the matters aforesaid.

[31st July, 1963.]

CHAPTER 37

CHILDREN AND YOUNG PERSONS ACT, 1963

An Act to amend the law relating to children and young persons; and for purposes connected therewith.

[31st July, 1963.]

CHAPTER 38

WATER RESOURCES ACT, 1963

An Act to provide for the establishment of river authorities and a Water Resources Board, to confer on them, and on the Minister of Housing and Local Government, new functions in relation to water resources in England and Wales, and to provide for the transfer to river authorities of functions previously exercisable by river boards and other bodies; to make further provision for controlling the abstraction and impounding of water, for imposing charges in respect of licences to abstract or impound water, and for securing the protection and proper use of inland waters and water in underground strata; to enable corresponding provision to be made in relation to the Thames and Lee catchment areas and certain other areas in or adjacent to London; and for purposes connected with the matters aforesaid.

[31st July, 1963.]

CHAPTER 39

CRIMINAL JUSTICE (SCOTLAND) ACT, 1963

An Act to amend the law of Scotland relating to the imprisonment and detention of offenders and other persons; to make further provision as to the treatment of prisoners and other persons committed to custody, including provision for their supervision within the British Islands after discharge, for the management of approved schools and for the treatment of persons detained therein; to amend the law relating to the payment of fines and detention in default of payment thereof within Great Britain; to alter the law relating to the proceedings of criminal courts in Scotland and to legal aid in such proceedings; to alter the law relating to the enforcement of warrants of arrest and the service of process in Great Britain; to provide for the execution in Scotland of warrants issued by courts in the Isle of Man; to provide for the appointment of additional judges of the Court of Session; to make certain consequential amendments to the First Offenders Act, 1958, and the Criminal Justice Act, 1961; and for purposes connected with the aforesaid matters. [31st July, 1963.]

CHAPTER 40

COMMONWEALTH DEVELOPMENT ACT, 1963

An Act to extend the area of operation and alter the name of the Colonial Development Corporation; and to amend sections 1, 4 and 6 of the Colonial Development and Welfare Act, 1959. [31st July, 1963.]

CHAPTER 41

OFFICES, SHOPS AND RAILWAY PREMISES ACT, 1963

An Act to make fresh provision for securing the health, safety and welfare of persons employed to work in office or shop premises and provision for securing the health, safety and welfare of persons employed to work in certain railway premises; to amend certain provisions of the Factories Act, 1961; and for purposes connected with the matters aforesaid. [31st July, 1963.]

CHAPTER 42

DOG RACING (BETTING DAYS) ACT, 1963

An Act to provide for the fixing of days when betting facilities may be provided on licensed tracks being dog racecourses in place of betting days lost due to weather conditions or other circumstances. [31st July, 1963.]

CHAPTER 43

ANIMAL BOARDING ESTABLISHMENTS ACT, 1963

An Act to regulate the keeping of boarding establishments for animals; and for purposes connected therewith. [31st July, 1963.]

CHAPTER 44

WILLS ACT, 1963

An Act to repeal the Wills Act, 1861, and make new provision in lieu thereof; and to provide that certain testamentary instruments shall be probative for the purposes of the conveyance of heritable property in Scotland. [31st July, 1963.]

CHAPTER 45

MATRIMONIAL CAUSES ACT, 1963

An Act to amend the law relating to matrimonial causes; to facilitate reconciliation in such causes; and for purposes connected with the matters aforesaid. [31st July, 1963.]

CHAPTER 46

LOCAL GOVERNMENT (FINANCIAL PROVISIONS) ACT, 1963

An Act to extend the powers of local authorities to defray expenses incurred by their members and officers, or by other members of their committees or sub-committees, and to contribute or subscribe to other local authorities and to bodies having activities connected with local government; to authorise certain expenditure by local authorities for the benefit of their areas or inhabitants but not otherwise authorised; to make further provision with respect to borrowing by local authorities, the management of local authority debt, the application by local authorities of capital funds, renewal and repair funds, unexpended balances of loans and capital money received by way of financial adjustment; and for purposes connected with the matters aforesaid. [31st July, 1963.]

CHAPTER 47

LIMITATION ACT, 1963

An Act to extend in certain cases the time-limit for bringing legal proceedings where damages are claimed which consist of or include damages or solatium in respect of personal injuries (including any disease or impairment of a person's physical or mental condition) or in respect of a person's death; to limit the time within which proceedings for contribution may be brought under section 6 of the Law Reform (Married Women and Tortfeasors) Act, 1935, or section 3 (2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act, 1940; to make further provision as to the application of the Limitation (Enemies and War Prisoners) Act, 1945, to Northern Ireland; and for purposes connected with the matters aforesaid. [31st July, 1963.]

CHAPTER 48

PEERAGE ACT, 1963

An Act to authorise the disclaimer for life of certain hereditary peerages; to include among the peers qualified to sit in the House of Lords all peers in the peerage of Scotland and peeresses in their own right in the peerages of England, Scotland, Great Britain and the United Kingdom; to remove certain disqualifications of peers in the peerage of Ireland in relation to the House of Commons and elections thereto; and for purposes connected with the matters aforesaid. [31st July, 1963.]

CHAPTER 49

CONTRACTS OF EMPLOYMENT ACT, 1963

An Act to require a minimum period of notice to terminate the employment of those who have been employed for a qualifying period, to provide for matters connected with the giving of the notice, and to require employers to give written particulars of terms of employment. [31st July, 1963.]

CHAPTER 50

TELEVISION ACT, 1963

An Act to extend the period for which the Independent Television Authority are to provide television services, to make further provision with respect to the control exercisable by the Authority over the programmes broadcast by them and over programme contractors, to require additional payments from programme contractors which will not form part of the revenue of the Authority, and to amend in other respects the law relating to the Authority and broadcasting by the Authority. [31st July, 1963.]

CHAPTER 51

LAND COMPENSATION (SCOTLAND) ACT, 1963

An Act to consolidate the Acquisition of Land (Assessment of Compensation) Act, 1919, and certain other enactments relating to the assessment of compensation in respect of compulsory acquisitions of interests in land; to the withdrawal of notices to treat; and to the payment of additional compensation and of allowances in connection with such acquisitions or with certain sales by agreement of interests in land; with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949. [31st July, 1963.]

CHAPTER 52

PUBLIC ORDER ACT, 1963

An Act to increase the penalties for offences under section 5 of the Public Order Act, 1936, and section 1 of the Public Meeting Act, 1908. [31st July, 1963.]

CHAPTER 53

PERFORMERS' PROTECTION ACT, 1963

An Act to amend the law relating to the protection of performers so as to enable effect to be given to a Convention entered into at Rome on 26th October, 1961. [31st July, 1963.]

CHAPTER 54

KENYA INDEPENDENCE ACT, 1963

An Act to make provision for, and in connection with, the attainment by Kenya of fully responsible status within the Commonwealth, including provision for terminating the giving of financial and other assistance to the East African Common Services Organisation under the Colonial Development and Welfare Act, 1959. [3rd December, 1963.]

CHAPTER 55

ZANZIBAR ACT, 1963

An Act to make provision in connection with Zanzibar becoming an independent State within the Commonwealth. [3rd December, 1963.]

CHAPTER 56

BAHAMA ISLANDS (CONSTITUTION) ACT, 1963

An Act to provide for the grant of a new constitution for the Bahama Islands. [3rd December, 1963.]

CHAPTER 57

NIGERIA REPUBLIC ACT, 1963

An Act to make provision as to the operation of the law in relation to Nigeria as a Republic within the Commonwealth. [18th December, 1963.]

CHAPTER 58

EXPIRING LAWS CONTINUANCE ACT, 1963

An Act to continue certain expiring laws. [18th December, 1963.]

CHAPTER 59

ELECTRICITY AND GAS ACT, 1963

An Act to increase the statutory limits imposed on the amounts outstanding in respect of borrowings by the Electricity Council and Electricity Boards and the Gas Council and Area Gas Boards; to make further provision for Exchequer advances to certain of those bodies; to provide in certain cases for compensating members of those bodies for loss of office; and for purposes connected with the matters aforesaid. [18th December, 1963.]

